

ORIGINAL

Approved: DOMINIC A. GENTILE
Assistant United States AttorneyBefore: HONORABLE ROBERT W. LEHRBURGER.
United States Magistrate Judge
Southern District of New York

- - - - - X

	:	<u>COMPLAINT</u>
UNITED STATES OF AMERICA	:	
	:	Violation of 21 U.S.C.
- v. -	:	§ 846
	:	
AMADO DELAROSA, RICHARD	:	COUNTY OF OFFENSE:
URENA ARIAS, and MODESTO	:	NEW YORK
ANTONIO MARTINEZ LOPEZ,	:	
	:	
Defendants.	:	

- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

JAMES LOWNDES, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA"), and charges as follows:

COUNT ONE

1. In or about March 2019, in the Southern District of New York and elsewhere, AMADO DELAROSA, RICHARD URENA ARIAS, and MODESTO ANTONIO MARTINEZ LOPEZ, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that AMADO DELAROSA, RICHARD URENA ARIAS, and MODESTO ANTONIO MARTINEZ LOPEZ, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that AMADO DELAROSA, RICHARD URENA ARIAS, and MODESTO ANTONIO MARTINEZ LOPEZ, the defendants, conspired to distribute and possess with intent to distribute were (a) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); and (b) 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B).

(Title 21, United States Code, Section 846.)

The bases for my knowledge and the foregoing charge are, in part, as follows:

4. I am a Special Agent with the DEA. I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement agents and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. Since at least in or about March 2019, the DEA has been investigating an Ohio and Mexico-based drug trafficking organization ("DTO") that appears to be transporting narcotics to and from various locations and individuals within the United States, including associates in and around New York City. From my participation in this investigation and my conversations with other DEA agents, I have learned, in substance and in part, that members of the DTO appear to be transporting narcotics from Mexico to Ohio via automobile, and that the drivers of these automobiles pick up narcotics from New York City-based personnel for distribution to customers in Ohio.

6. During the course of the investigation, based on information obtained from law enforcement agents in Ohio, I and other agents learned, in substance and in part, that one of the DTO's shipments of narcotics was scheduled to be picked up at a particular apartment on Walton Avenue in the Bronx, New York ("Apartment-1").

7. Based on my conversations with other DEA agents, my participation in this investigation, and my review of law enforcement records and reports, I have learned, in substance and in part, the following:

a. On or about March 24, 2019, I and other law enforcement agents conducted visual surveillance in the area of Apartment-1.

b. At approximately 1:00 a.m., on March 25, 2019, I and other agents knocked on the door of Apartment-1 and spoke with multiple occupants. One of the occupants ("CC-1") provided verbal consent to search Apartment-1. I and other agents then conducted a search of Apartment-1, during which we recovered one individually wrapped rectangular brick-shaped package and other smaller clear plastic bags of white powder. The rectangular brick-shaped package and one of the clear plastic bags field tested positive for the presence of heroin. Based on my training, experience, and involvement in this investigation, I believe these packages contain a total of approximately two kilograms of heroin.

c. CC-1 agreed to cooperate with law enforcement and stated, in substance and in part, that on or about April 2, 2019, CC-1 had been contacted by another individual who instructed CC-1 to deliver a kilogram of heroin to 179th Street and St. Nicholas Avenue in New York, New York.

d. At approximately 4:30 p.m., on April 2, 2019, I and another agent provided CC-1 with a bag containing a single brick-shaped parcel that contained a powder resembling heroin (the "Package"), and instructed CC-1, in substance and in part, to carry out the scheduled delivery.

e. Later that day, I and other agents conducted visual surveillance in the area of 179th Street and St. Nicholas Avenue.

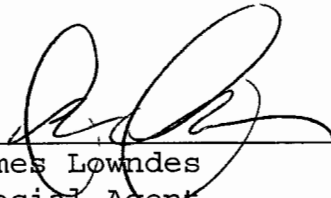
f. At approximately 4:56 p.m. that day, an individual later identified as AMADO DELAROSA, the defendant, was observed speaking with CC-1 in the area of 179th Street and St. Nicholas Avenue. After a brief conversation, CC-1 handed DELAROSA the Package. DELAROSA took possession of the Package and walked away.

g. I and other agents followed DELAROSA to an apartment on St. Nicholas Avenue in New York, New York ("Apartment-2"). DELAROSA was observed opening the door of Apartment-2 with a set of keys. As DELAROSA opened the door, I and other agents approached him and observed two individuals

later identified as MODESTO ANTONIO MARTINEZ LOPEZ, and RICHARD URENA ARIAS, the defendants, come to the door.

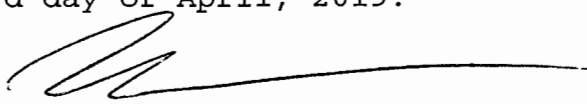
h. Both DELAROSA and MARTINEZ LOPEZ provided verbal consent to search Apartment-2. During a search of Apartment-2, I and other agents recovered eleven individually wrapped rectangular packages in a hidden compartment located behind a bathroom mirror. Based on my training, experience, and involvement in this investigation, I believe that ten of these packages contain a total of approximately ten kilograms of heroin and one package contains a total of approximately one kilogram of cocaine.

WHEREFORE, I respectfully request that AMADO DELAROSA, RICHARD URENA ARIAS, and MODESTO ANTONIO MARTINEZ LOPEZ, the defendants, be imprisoned or bailed, as the case may be.



James Lowndes
Special Agent
Drug Enforcement Administration

Sworn to before me this
3rd day of April, 2019.



HONORABLE ROBERT W. LEHRBURGER
United States Magistrate Judge
Southern District of New York